

FILED
CHARLOTTE, NC

MAY - 8 2019

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

US DISTRICT COURT
WESTERN DISTRICT OF NC

Angelina Tompkins for minor child T.S

Plaintiff,

COMPLAINT

vs.

Case No. 3:19cv219

Defendant(s).

Robert Conrad

A. JURISDICTION

Jurisdiction is proper in this court according to:

___ 42 U.S.C. §1983

___ 42 U.S.C. §1985

___ Other (Please specify) _____

B. PARTIES

1. Name of Plaintiff:
Address:

Robert Conrad
401 West Trade St
Charlotte NC 28202

2. Name of Defendant:
Address:

Angelina Tompkins for minor child T.S
11610 Brookmore Way
Riverview FL 33569

Is employed as Judge at United State District Court
(Position/Title) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred? YES ☒ NO ☐ if "YES" briefly explain:

He denied the request multiple times when CMS asked for the case to be dismissed but next he decided to dismiss the case for unjustified reasons

3. Name of Defendant: Robert Conrad
Address: 401 West Trade St
Charlotte NC 28202

Is employed as Judge at United State Court
(Position/Title) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred? YES ☐ NO ☐ if "YES" briefly explain:

4. Name of Defendant: _____
Address: _____

Is employed as _____ at _____
(Position/Title) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred? YES ☐ NO ☐ if "YES" briefly explain:

(Use additional sheets if necessary.)

C. NATURE OF CASE

Why are you bringing this case to court? Please explain the circumstances that led to the problem.

I waited 5 year on a trial for my daughter T.S
he granted me a trial for May 6, 2019 had me drive 10 hour
have my daughter go back to the pain
CMS was caused by The School asked general time over
to have it dismissed. And he denied it. They didn't even

have there witness here on time. They didn't show up the next day. The Judge was upset about them not having their stuff together.

The Next Day May 7, 2019 we came back to court and the judge decided to dismiss the case saying I need to prove SO4 are ~~the~~ government funding. All schools are government funding under the law SO4 American with Disabilities Act.

I am asking for a fair trial for T.S. my child. I think it is unjustified for his action.

Why he would even have us come this far.

Now the school fail my child so has the justice system. Please read my letter ~~giving~~ my child a fair trial. Please, this is wrong to bring us this far. I feel he was mad at CMS not having their stuff together so he just dismissed my case.

D. CAUSE OF ACTION

I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

- a. (1) Count 1: _____
(2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing any legal authority. Use additional sheets if necessary.)

- b. (1) Count 2: _____
(2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing any legal authority. Use additional sheets if necessary.)

E. INJURY

How have you been injured by the actions of the defendant(s)?

yes emotional ~~not~~ mental, not understanding
how or why. I am afraid to tell
my child T.S. as if you will have
a Break down for what SM has done
T.S. has try to commit Suidie killing her self.

F. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action? YES ☒ NO ☐

If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

1. Parties to previous lawsuits: Angelina Tompkins minor child T.S.

Plaintiff(s): ~~Charlotte-Mecklenburg Schools~~

Defendants(s): Charlotte Mecklenburg School

2. Name of court and case or docket number:

Court Room 2-1

3. Disposition (for example, was the case dismissed? Was it appealed? Is it still pending?)

dismissed

4. Issues raised:

CMS discriminated my daughter T.S. of her 504 plan.

I then denied their request several times and granted me a trial but my daughter was not given a fair trial because he dismissed it on the second day.

5. When did you file the lawsuit? 4/2016

Date: Month/Year

6. When was it (will it be) decided? 5/7/19

Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part D? YES ☐ NO ☒

If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.

G. REQUEST FOR RELIEF

I believe I am entitled to the following relief:

To have a fair trial for my minor child TS
has he given me on May 6, 2019. And
let a jury decide on my daughter case
all 504 are Government funding!

JURY TRIAL REQUESTED

YES

NO

Signed at

Chamblee

on

5/8/19

(Location)

(Date)

Signature

Address:

11610 Brookmore Way
Riverview FL 33569

Phone:

704-297-9588

E-Mail:

aptompe26@yahoo.com

May 8, 2019

The Honorable Judge Conrad
401 W. Trade Street
Charlotte, NC 28202

Good morning Your Honor,

My name is Angelina Tompkins I was in your court room on May 6, 2019 in regard to trial for my daughter Taylor Smith versus Charlotte Mecklenburg schools. I appreciate you taking the time to hear my case and your dedication for your hard work. But I have a big concern and I like to address it with you and hoping that you will take the time to hear and read this letter thoroughly. I understand that you are a judge and there are laws. I'm a firm believer of obeying by the law. I teach my children to obey by the law to be successful in life and do the right thing. But one thing I do know Charlotte Mecklenburg school has failed to give my daughter a proper education not only that they discriminated against her 504. I have waited five years for this day to come to serve justice for my child. This is not about me this is about Taylor and me standing up defending for her because she is a minor. Judge please hear me out please reconsider Charlotte Mecklenburg schools has failed and discriminated against her. I am begging you for my life to please reconsider. I don't know if you have children I don't know if you have grandchildren but one thing, I do know it is not a great feeling to watch your child tried to commit suicide on multiple occasions because of the way the school handled. Now I have to explain to her not only has the school failed her the justice system failed. I'm so afraid to tell her not knowing what she would do to her Self feeling like she did wrong again. Taylor really is a good kid she really wants to have a future for herself. Yes, she does have mental problems but that has nothing to do with her capability of wanting to learn and what the school did to her was wrong. She's not a child who is on drugs that gets in trouble with the law, that breaks the law. I know the opposite counsel asked on multiple occasions to have this case dismissed are you overturned it several times and now I have to try to prove that 504 is government funding all schools are government funding. I don't even think that they were prepared for a trial. They didn't have their witnesses there when they should've been there. I'm a fighter I will never give up on my kids I'm a mother who loves her with all my heart and would do anything to see her successful. Taylor hates school because of what coulwood did to her. Judge just hear me out please give my daughter a proper trial. Let a jury decide. Please just sit down with me and my daughter. I'm so afraid of what she would do I do not want to bury my kids. I am begging you from the bottom of my heart. I drove 10 hours she is missed a week of school not that she could afford to miss any school for this day to come. I apologize for breaking down in your court room. Please judge just hear me out please don't show these kids that they are failures in life because they have the right to stand up for their rights. What Charlotte Mecklenburg school systems did to my daughter is very unjustified a fact and they should have to take responsibility. No child should ever feel the way Taylor has felt. I don't want to file a complaint I wanted to come to you personally and do the right thing and ask you to please reconsider. But I will never give up on my daughter life I will fight for her. Just imagine if It was your child, I'm sure you would do the right thing just as I'm doing. Parent really loves and wants to protect their children would do anything. I'm not asking to break any laws I'm just asking for A proper trial for Taylor. I have now had to put her back to this pain to rethink it to go on stand. Please judge don't let me bury my kid. Please please. I'm hoping you'll read this before I go back to Florida and please respond back to me. I don't want to have file any complaint but I will if I have to. I will not stop until someone hear what they did to her is wrong. I really hope that I will hear back from you.

Thank You, Angelina Tompkins
704-297-9588
11610 Brookmore Way
Riverview, FL 33569

The Basics of a 504 Plan

The 504 plan refers to Section 504 of the Rehabilitation Act and the Americans With Disabilities Act. This specifies that no one with a disability can be excluded from participating in federally funded programs or activities, including elementary, secondary, or post-secondary schooling.

The goal of a 504 plan is to remove barriers and allow students with disabilities to participate freely in public education or schools that receive public funding. It seeks to level the playing field so those students can safely pursue the same opportunities as everyone else.

Section 504 states, "No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

UNITED STATES DISTRICT COURT
for the
Western District of North Carolina

Angelina Tompkins for minor child T.S.
Plaintiff
v. Civil Action No. 3:19cv219

Robert Conrad
Defendant

SUMMONS IN A CIVIL ACTION

TO: (Defendant's name and address)

Robert Conrad
401 W Trade St
Charlotte NC 28206

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – or 60 days if you are named as a defendant within an asbestos litigation case - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Angelina Tompkins for minor child T.S.
11610 Brookmore Way
Riverview FL 33569

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(I))

This summon for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

- ☐ I personally served the summons on the defendant at
(place) _____
on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____,
a person of suitable age and discretion who
resides there, on *(date)* _____, and mailed a copy to the individual's last
known address; or
- ☐ I served the summons on *(name of individual)* _____,
who is designated by law to accept service of process on behalf of *(name of organization)*
_____ on *(date)* _____; or
- ☐ I returned the summons unexecuted because _____; or
- ☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of
\$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title